

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:11-CR-00346-2BO(4)

UNITED STATES OF AMERICA)	
v.)	<u>ORDER FOR DISMISSAL OF COUNTS</u>
DONALD KENT BLAINE)	<u>2, 10, AND 15 OF THE SUPERSEDING</u>
)	<u>INDICTMENT</u>

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, and with leave of the Court, the United States Attorney for the Eastern District of North Carolina hereby dismisses, as to DONALD KENT BLAINE only, Counts Two, Ten, and Fifteen of the Superseding Indictment filed on February 8, 2012. These counts all relate to one claim, which the evidence shows was filed directly by co-defendant CHARLENE LYDIA BLAINE. In addition, the Government has recently learned of exculpatory evidence relating to these three counts.¹

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¹This information relates solely to the diagnosis code, was summarized to the Court at the time of Charlene Blaine's Rule 11 hearing, and does not affect the factual and legal basis for her plea. Count 15 is not dismissed as to Charlene Blaine, and her plea to that count is still appropriate.

Leave of Court is granted for the filing of the foregoing dismissal.

Terrence W. Boyle
THE HONORABLE TERRENCE W. BOYLE
United States District Judge

10-16-12

Date